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ABSTRACT

This paper discusses the issues involved in achieving a balance between a child's rights to protection and adequate care and a family's rights to privacy and autonomy. The paper advocates a shift from the current norm of privacy concerning parents' child rearing practices towards increased openness and freer community-family communication. In view of the increase in physical and psychological child abuse and increasing evidence that violence in the home is related to children's tendencies towards aggression and violence, the paper suggests that the society has a responsibility to concern itself with a family's socialization practices, particularly disciplinary practices. It is suggested that a change in this direction should come in the form of social rather than legal sanctions. Communication concerning socialization practices would then be encouraged through informational and educational programs, through increased availability of professional resources, and through increased community involvement. Intervention into an unhealthy family situation would be considered the responsibility of the community rather than an invasion of privacy. The paper suggests that a family's legal and psychological rights to privacy would not be compromised by the social sanctions for disclosure and communication concerning the single area of child rearing. The paper presents ideas for encouraging family-community communication in this area. (BD)

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Child Advocacy and Family Privacy
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Abstract

The paper is addressed to the proposition that the current norm of privacy surrounding child rearing practices should be shifted in the direction of greater openness and freer communication. The rationale for this proposal is considered in terms of society's responsibility toward the child and in terms of current psychological and legal views of the function of privacy. It is suggested that the degree of extant physical and psychological child abuse coupled with the isolation of the nuclear family make it imperative that both parents and the community have an opportunity for a dialogue in regard to socialization strategies, particularly methods of discipline. A voluntary mechanism is described to accomplish this limited objective while leaving intact privacy boundaries necessary to protect family intimacy, communication and autonomy.

Child Advocacy and Family Privacy

In a recent chapter on parent punishment practices, we suggested that in matters pertaining to the socialization of the child new conceptions of family privacy should be formulated (Feshbach & Feshbach, 1976). We proposed that "how a parent rears a child should be an open matter, available for discussion, help and inquiry." In this paper we plan to review the basis for this proposal to "invade" family privacy and to consider its relationship to current psychological and legal views of the function of privacy and of society's responsibility toward the child.

Family privacy is an important social value that is believed to be essential to both the preservation of political liberty and to the development of personal psychological autonomy (Westin, 1967). Clearly, there is merit in the significance placed upon this value. The "invasion" of family privacy being considered is quite circumscribed and leaves intact privacy boundaries necessary to protect family intimacy, communication and autonomy. The family is a complex social unit with diverse interpersonal and societal functions. We are suggesting public status for one of these family functions--training of the child. We do so in the belief that a realization of another important social value, namely the rights and welfare of the child, warrants this limited incursion into the family sanctum. The background for this recommendation provides a useful context for this discussion.

The views to be presented arise out of a long standing interest in the types of punishment techniques employed by various socializing agents, particularly the use of corporal punishment in the home and in school. Although the pertinent literature on the effects of corporal punishment administered in schools is scant, there are a substantial number of investigations bearing upon the effects of corporal punishment carried out within the home. In most of these studies, parental use of physical punishment is positively correlated with aggressive, antisocial behavior in the child (S. Feshbach, 1970). Violence in the home proved to be a better predictor of violence in the child than social class, exposure to violence on television, early socialization frustrations and a number of other variables that are believed to contribute to children's aggressive behavior (N. Feshbach & S. Feshbach, 1971; N. Feshbach & S. Feshbach, 1976). Recent studies in Norway (Olweus, 1976) and Finland (Pitkanen, Note 1) have yielded a similar relationship between parental punishment practices and children's aggressive behavior. Norwegian parents and Finnish parents, like American parents, who use physical punishment as a major disciplinary tactic have children who are significantly more hostile and aggressive than are the children of parents who do not rely on physical punishment practices. These crosscultural findings provide a broader basis for the proposition that parental use of physical punishment fosters aggressive, even violent behavior, in children.

Physical punishment is not, of course, the only disciplinary method that is detrimental to the welfare of the child. Severe psychological punishments such as ridicule, shame, rejection and guilt induction--grossly categorized as love withdrawal techniques, can also have destructive consequences for the child. The effects of psychological punishment practices are more subtle and complex and less easily assessed than those of physical punishment. Most psychologists would agree that severe physical and psychological punishment practices are likely to be counterproductive and their use is a reflection of the degree to which principles of effective discipline are inadequately understood and practiced in both the home and the school.

The data indicate that many parents employ child training techniques that are physically painful and humiliating to the child and that may have enduring negative psychological effects (Clifford, 1959; Heinstein, 1965; Newson, 1968; Steinmetz & Straus, 1973, 1974; Straus, 1973). The now acknowledged high incidence of child abuse provides some inkling of the scope of the problem (Parke & Collmer, 1975; Light, 1974). For every child who comes to the attention of the authorities as a victim of child abuse, there are manyfold who meet the legal criteria for child abuse but whose situation is not public. More important, perhaps, are those hundreds of children who are equally abused but because a bone was not broken and blood was not drawn are viewed as simply having been punished. One can make only crude estimates as to the extent

to which children are subjected to varying degrees of physical and psychological punishment since, in general, child rearing is a private rather than public matter. A barrier of secrecy surrounds parent socialization practices, a barrier that keeps professionals ignorant of parent practices and, more important, prevents effective communication of alternatives to parents whose children can most benefit from such communication. Recently, in some states and communities, this wall of secrecy is being scaled. School personnel are now requested to make public the frequency with which specific disciplinary procedures are applied to specifically designated infractions. Certainly we do not expect nor advocate that the family be placed under similar legal and administrative strictures to which schools are subject. However, we do advocate greater access in regard to the disciplinary practices that families employ. That is, we think it a reasonable proposition that professionals involved with children's welfare, such as pediatricians, educators and psychologists, be given the right to ask parents what strategies of discipline are customarily used in interactions with his or her child. And equally reasonable is the expectation of a parental response to such an inquiry.

The statistics on child abuse provide a compelling sign that the time has come to open the family sanctum and illuminate some of the darker corners in which child rearing practices are hidden. To accomplish this goal, we propose a social not a legal

change; a change to be brought about by informational and educational programs, increased professional resources available to parents for consultation regarding child rearing matters, and increased community involvement.

In advocating a breach in the wall of family privacy, albeit circumscribed, two related issues are encountered: (1) the functional significance of family privacy, including the rights of the parent as well as the child; and (2) the division of responsibility between the family and society for the child's socialization and welfare. It is within these two areas that objections to our proposal may arise. The close relationship between the two questions at issue--the family's responsibility for socialization and the family's right to privacy, is succinctly stated in the following quotation from Alan Westin's (1970) monograph on privacy and freedom: "A liberal democratic system maintains a strong commitment to the family as a basic and autonomous unit responsible for important educational, religious and moral roles, and therefore the family is allowed to assert claims to physical and legal privacy against both society and the state." (Westin, 1970, p. 24). The state, while obviously part of society, has a special, dual relationship to the child. Through its legal structure, the state defines the relationship of the parents and of other social groups and institutions to the child and attempts to protect the rights and insure the welfare of the child. However, the state may also act as a representative of the broader interests of society--for example, incarcerating

the delinquent child or instituting compulsory military training.

Both custom and law recognize that while the family is the primary socializing agency, the state and society have a significant interest in the child's rights and welfare. The child is not a chattel of the parents to be treated or disposed of as they deem proper. The law severely limits the rights of parents to use young children as wage earners nor can parents deprive their children of a formal education (Bremner, 1971; Haubrich and Apple, 1975). And, in the most explicit and fundamental recognition of the state's role in the socialization of the child, children can be removed from parents if the latter are declared unfit. We do not wish to exaggerate the degree of legal recognition of children's rights, but merely to note that society's and the state's interest in the child is well established in the law.

Parental power is, of course, paramount and in many areas almost unlimited. However, in recent years, various groups, including the American Civil Liberties Union, have engaged in extensive litigation to expand and more sharply define children's rights. As a result of these efforts, some important limitations have been placed on the role of the parent vis a vis the child. A parent cannot veto a minor's decision to abort within the first twelve weeks of pregnancy (Planned Parenthood v. Danforth; 1976). Neither the community nor the parent can deny a minor legal representation in criminal proceedings (In re Gault, 1967; Kent v. U.S., 1966) and there is even some question as to whether

the parent and the community can waive a minor's due process rights in a hospitalization decision.

Thus, in its role as protector of the child's welfare and rights, the state is exercising a role in the socialization process. These legal changes, while consistent with the change in family privacy that we are recommending, do not constitute its primary justification. The legal issues pertain to the domain of the state. But the welfare of the child extends beyond legal questions and beyond the political structure of the state, and becomes an issue for society at large. Schools, neighborhoods, communities, extended kinship groups, as well as the immediate family and the state, have a stake in the child's development. Without knowledge of the manner in which the child is reared, individuals and institutions in the society cannot exercise their legitimate interest in the child's welfare. As we have suggested earlier, it is our view that society's interest in fostering the psychological health and development of the child can be met by social rather than legal actions. A social program is required that would facilitate and encourage open discussion and disclosure of child rearing practices. The issue that needs to be addressed is the extent to which the adoption of such a program would deprive the family of the significant functions that privacy serves.

Contemporary views of privacy generally conceptualize privacy as a dialectic, dynamic control process balancing the

need for confidentiality and the need for disclosure (Altman, 1975; Proshansky, Ittelson & Rivlin, 1970). According to Altman (1975) and Westin (1970) privacy is essential for the attainment of self-identity and autonomy for individuals and for groups. It helps regulate interaction with the social environment, defining boundaries and providing opportunities for feedback, for self-exploration and emotional release. Privacy, in addition, has a sociopolitical function; by protecting the confidentiality of communications, it helps insure that communications will not be misused to the detriment of their source (Westin, 1970, p.13).

With regard to the psychological functions of privacy, it would seem improbable that open communication of child rearing practices would affect the identity of the family or its members. However, the autonomy of the family in the child rearing domain could possibly be affected. While families would not be compelled to adopt particular child rearing techniques, they might experience social pressure to modify certain of their practices, notably those entailing the infliction of undue physical and psychological pain. Even if social pressures might emerge, families would still retain the choice of participating in this open communication process. Also, by providing a variety and choice of communication outlets such as small informal peer groups, workshops and individual professional consultation, and more anonymous services such as telephone "hot lines," one can

minimize social pressure effects and maximize the informational and communication functions that this recommendation is intended to accomplish. These types of resources and activities are already available in some communities and are being utilized by some individuals. We are suggesting a major expansion in this type of community program as well as the development of effective dissemination systems so that the public, especially parents, might learn about available resources as well as obtaining information regarding better strategies for dealing with children.

The objection that the danger of misusing revealed information will always remain. The privacy of communication with professionals who deal with children is protected by professional ethics and should be maintained with vigilance. Where children are themselves involved, child rearing discussions should, in general, be restricted to pre-adolescent and adolescent age groups. Of course, children have always embarrassed parents by outbursts of frankness and these occasional naive revelations may be expected to continue.

Although writers on the functions of privacy refer to the need to disclose as well as the need to maintain secrecy, their primary concern is with the presumed deteriorating effect that disclosure may have upon one's self-identity (Simmel, 1950; Westin, 1970). Yet Jourard's research (1966, 1971), indicates that self-disclosure, particularly to intimates, is positively related to mental health. In a

society that is characterized by anonymity and anomie, where families are highly mobile and intimate relations are disrupted, there is a special need for the support and information that disclosure and communication of child rearing practices can provide. The checks and guidance that close relatives and neighbors might have once offered an irrational or uninformed parent are less possible today than in previous decades. The family is very much alone in its efforts to cope with the diverse problems and concerns that child rearing presents. Privacy norms operate to inhibit and constrain the communication of these concerns to others. These concerns may range from uncertainty regarding management issues and discipline strategies to guilt over ambivalent feelings and conflicts over seemingly overwhelming responsibilities. Parents often feel insecure about their children's behavior and performance and need information as to what is normative. But perhaps more important, are the feelings of isolation, frustration and apprehension!

Anxieties, anger and guilt that remain locked behind the family wall fester, intensify and sometimes disrupt and damage the family. A change in the communication status of child rearing practices from a private to a more public domain can have profound, constructive effects for the parent as well as the child. It would raise parental awareness of the character and consequences of their practices; it would help reduce the anxieties and uncertainties that are so often connected with child rearing; it would facilitate sharing and mutual support and understanding.

We do not wish to minimize the importance of privacy in the maintenance of individual and familial autonomy and dignity. Any implication of a restriction in privacy can be perceived as a threat to civil liberties and may, in many minds, raise the spectre of social control and social uniformity in the child rearing domain. It becomes important here to distinguish sharply between the recommended variation in the privacy-communication balance and the recommendation of particular behavior practices. The purpose of the advocacy of greater openness in regard to child rearing practices is neither to compel or even tell individual parents how to raise their respective children. Rather, the objective is to offer a forum in which information and alternatives can be disseminated and discussed. To be sure, open communication of methods one employs in disciplining one's children may result in social pressure to modify practices that are markedly socially deviant--e.g., use of severe physical punishment, isolation of young children for long periods of time, etc. Also, while parents will retain the option of not revealing disciplinary methods, they may experience social pressure in the direction of greater communication if such is the pattern in their local community. This limited restriction in parental freedom is justified, we believe, by society's interest in the child's welfare.

What is required is an ambitious effort by the community to provide adequate support and resources to parents as well as

acting as protector and advocate for children. This can be accomplished partly through educational programs. One focus of such an educational effort should be the parent. Indeed, there are a number of extant educational programs that are directed toward parents (Chilman, 1973; Gordon, 1970; Hoffman, Jordan & McCormick, 1971; Patterson, 1975). In fact, the contemporary expansion of early childhood educational programs has been accompanied by a parent involvement component. However, while this development has been important, it is hardly a normative phenomena. Many families with young children are not yet included in these programs. Also, parental concerns do not cease when the child completes the preschool period. Educational support systems should be provided for parents of children of all ages.

Prospective parents also need to be reached and prepared for what is one of the critical roles of adulthood. In view of the rise in births among teenagers, these outreach programs could well be initiated at the junior high school level and then become part of continuing education. It is important that these programs, in contrast to most current college courses, provide meaningful opportunities for systematic observation of and interaction with young children. Daycare centers, elementary classes, pediatric wards, children's clinics, and other child and family oriented facilities might serve as the field sites in which interaction with real children might take place. Thus,

the adolescent, in addition to learning about children, could participate in services to children. An important byproduct of these educational experiences would be a positive and more open atmosphere regarding interaction with children. In addition to these direct educational efforts, a support system could be instituted by expanding the role of relevant professional groups, e.g., pediatric psychologists. The latter might conduct training and discussion groups for prospective parents, continue these groups after the child is born, and function as consultants as individual child rearing problems arise.

In the course of these on-going service activities professionals could also have the opportunity to acquire important data about how parents bring up their children, data that is not currently available. This data would probably not be retrospective and probably would not be obtained in contrived ecologically invalid situations. Rather, these observations would likely be secured in situations and contexts in which parents and children interact naturally. The information derived from this data source has the potentiality of providing rich developmental material to researchers and scholars, and, in addition, of improving and enhancing the quality of service delivery systems. Ideally, information, help and assistance provided to the parents from community resources could thus be based on this rich data source.

Given this potential support, parents would be more likely

to be more open regarding their child rearing practices. Coupled with the willingness to indicate how they rear their children should be a willingness to receive input from others. Existing social norms make it difficult, even dangerous, to tell a neighbor who beats his or her child that there are alternative and more effective methods of discipline. One function of these educational programs will be to help change these norms. The response of "none of your business," which some privacy advocates feel is used too infrequently, should give way to the recognition that child rearing is the business of the community. As social expectations change in the direction of greater openness, the same comments by others that are currently perceived as intrusive can be perceived as helpful, constructive observations.

In conclusion, reciprocity between parent and community is a critical element in our proposal to remove the shield of privacy surrounding parent socialization practices. The community's contribution is through the medium of education and the provision of concrete support mechanisms for the assistance of individuals in their critical social role as parents. The parent's contribution is an involvement in this educational enterprise and a readiness to share child rearing concerns and practices with other members of the community. Hopefully, the benefactors of these joint contributions will be the community, the family, and most important, the child.

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